

Agency 37 - Workers' Compensation Court

Statutory Authority:

The Nebraska Workers' Compensation Court was created in 1935 pursuant to Article V, Section 1, of the Constitution of the State of Nebraska. Chapter 48, Sections 101-191, 1,110, and 1,113-1,118 of the Revised Statutes of Nebraska provide for the authority and responsibilities of the court. The court also operates in accordance with its Rules of Procedure which have been adopted pursuant to section 48-163. Section 48-1,116, establishes the Compensation Court Cash Fund which was created in 1993 to aid in providing for the expense of administering the Act and for the salaries and expenses of the personnel of the court.

Vision Statement:

The vision of the court is to impartially, effectively, and efficiently administer and enforce the provisions of the Nebraska Workers' Compensation Act, except those provisions that are committed to the courts of appellate jurisdiction or as otherwise provided by law.

Mission Statement:

The mission of the Nebraska Workers' Compensation Court is to administer and enforce the Nebraska Workers' Compensation Act, except those provisions that are committed to the courts of appellate jurisdiction or as otherwise provided by law.

The principles of the court are to remain impartial in all disputes between employers and employees and other matters that come before the court, to be responsive to the needs of the various parties involved in the workers' compensation system, and to operate programs effectively and efficiently.

Goals:

1. Adjudicate contested cases in a timely fashion within the formal hearing process and approve settlements.
2. Provide a program to resolve disputed cases or issues through informal means.
3. Oversee vocational rehabilitation counselors and services that return injured employees to suitable employment.
4. Administer programs relating to managed care, independent medical examiners, and maximum fees for medical and hospital services.
5. Enforce compliance with insurance coverage, claims handling, reporting, and other obligations under the Nebraska Workers' Compensation Act.
6. Administer a program for self insurance of workers' compensation liability in accordance with the Nebraska Workers' Compensation Act.
7. Process reports of injury and benefit payments so that data is readily accessible and accurate as reported.
8. Inform, educate, and assist workers' compensation system participants.
9. Administer the Compensation Court Cash Fund and the Workers' Compensation Trust Fund in accordance with the Nebraska Workers' Compensation Act.
10. Conduct the activities of the federal grant as contracted with the U.S. Department of Labor-Bureau of Labor Statistics.

Financial Data:

	Actual FY06	Approp FY07	Request FY08	Recom FY08	Request FY09	Recom FY09
General Fund	0	0	0	0	0	0
Cash Fund	3,819,065	4,974,097	4,536,200	4,476,042	4,520,001	4,480,429
Federal Fund	31,240	30,055	30,055	31,080	30,055	32,148
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Agency	3,850,305	5,004,152	4,566,255	4,507,122	4,550,056	4,512,577

Agency 37 - Workers' Compensation Court Program 526 - Judges' Salaries

Program Objectives:

This program is maintained solely for the purpose of paying the salaries, benefits, and workers' compensation premiums for the seven judges of the Workers' Compensation Court. All other administrative and adjudicative expenses are budgeted to Program 530. The salary level is established by statute (section 48-159) at 92.5% of the salary level of the Supreme Court justices. The salary level was last increased on July 1, 2006 and continues at the same rate in this request.

Financial Data:

	Actual FY06	Approp FY07	Request FY08	Recom FY08	Request FY09	Recom FY09
General Fund	0	0	0	0	0	0
Cash Fund	913,483	958,880	958,880	964,199	958,880	972,266
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	913,483	958,880	958,880	964,199	958,880	972,266

Performance Measures:

Performance measures are not applicable for salaries set by statute for judges. A measure of their work is provided in Program 530 as part of the total court effort to promptly resolve disputed cases.

Agency 37 - Workers' Compensation Court Program 530 - Work Comp Administration

Program Objectives:

The objectives of this program and the court in general are to impartially, effectively, and efficiently administer and enforce the Nebraska Workers' Compensation Act, except those provisions that are committed to the courts of appellate jurisdiction or as otherwise provided by law. The court also conducts a survey of work-related injuries and illnesses and a data collection program for fatal injuries pursuant to a grant from the U.S. Department of Labor - Bureau of Labor Statistics (BLS) (CFDA # 17-005). All of the goals identified in the Agency Narrative are applicable to this program.

Financial Data:

	Actual FY06	Approp FY07	Request FY08	Recom FY08	Request FY09	Recom FY09
General Fund	0	0	0	0	0	0
Cash Fund	2,905,582	3,959,950	3,522,053	3,456,576	3,505,854	3,452,896
Federal Fund	31,240	30,055	30,055	31,080	30,055	32,148
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	2,936,822	3,990,005	3,552,108	3,487,656	3,535,909	3,485,044

Performance Measures:

Description	FY06 Actual	FY07	FY08 Request	FY09 Request
Petitions @ 1st hearing stage	1,440	1,500	1,500	1,500
Applications @ review stage	137	145	145	145
Appeals to Ct. of Appeals & Sct	57	60	60	60
Motions filed	2,492	2,500	2,500	2,500
Settlement appl. reviewed	1,960	2,000	2,000	2,000
IDR/Mediation cases	96	100	100	100
Certified Voc. Rehab. counselors	119	125	125	125
Req for appt. of VR counselor	147	150	160	170
Voc. Rehab. plans approved	328	350	350	350
Amt of trust fund pymts for VR	968,181	1,000,000	1,000,000	1,000,000
Mngd care plans certified	7	6	6	6
Employers covered by mgd care	1,636	1,700	1,700	1,700
Employees covered by mgd care	61,580	62,000	62,000	62,000
Physicians approved as IME	152	170	170	170
Req for IME assignment	87	90	90	90
Compliance cases investigated	243	250	270	300
Employers appvd for Self-Ins	50	50	55	55
Employees covered by Self-Ins	129,490	130,000	140,000	140,000
Injury & payment rpts processed	162,220	165,000	165,000	165,000
Inquiries on info line or web	26,951	28,000	28,500	29,000
Employees receiv. Sec Inj pmts	47	46	45	44

Agency 37 - Workers' Compensation Court Program 635 - Acting Judges' Salaries

Program Objectives:

This program is maintained solely for the purpose of providing salaries for acting judges that may be appointed by the Governor pursuant to section 48-155.01, and for retired judges that may be assigned by the Supreme Court pursuant to section 24-729.

Financial Data:

	Actual FY06	Approp FY07	Request FY08	Recom FY08	Request FY09	Recom FY09
General Fund	0	0	0	0	0	0
Cash Fund	0	55,267	55,267	55,267	55,267	55,267
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	0	55,267	55,267	55,267	55,267	55,267

Performance Measures:

Performance measures are not applicable for salaries set by statute for judges. A measure of their work is provided in Program 530 as part of the total court effort to promptly resolve disputed cases.